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IAP6 Rec'd PCT/PTO 08 DEC 2006

Attorney Docket No. 270.PFUS
PATENT

DEC 08 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dahl et al.

Serial No.. 10/540,794

Group No.: 1616

Filed: March 20, 2006

Examiner: Alton Nathaniel Pryor

For: COMPOSITIONS AND METHODS FOR COMBINATION ANTIVIRAL THERAPY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ a small entity - verified statement:☐ attached.☐ already filed.☒ other than a small entity.

I hereby certify that this paper along with the following documents are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: December 8, 2006VICKI COLLINS
Type or print name of person signing certification
Vicki Collins
Signature of person signing certification

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17 (a)-(d)) for the total number of months checked below:

| | <u>Extension (months)</u> | <u>Fee for other than small entity</u> | <u>Fee for small entity</u> |
|--------------------------|-------------------------------|--|---------------------------------|
| <input type="checkbox"/> | one month | \$120.00 | \$60.00 |
| <input type="checkbox"/> | two months | \$450.00 | \$225.00 |
| <input type="checkbox"/> | three months | \$1,020.00 | \$510.00 |
| <input type="checkbox"/> | four months | \$1,590.00 | \$795.00 |

Fee \$ _____

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

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FEE FOR CLAIMS

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4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | OTHER THAN A SMALL ENTITY |
|--|---|---------------------------------------|------------------|-----------------------|------------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE |
| TOTAL | 110 | MINUS 41 | = 69 | X25 = \$ | X50 = \$ 3475 |
| INDEP. | 8 | MINUS 4 | = 4 | X100 = \$ | X200 = \$ 800 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | +140 = \$ | +280 = \$ |
| | | | | TOTAL ADDIT FEE \$ | OR TOTAL ADDIT. FEE \$ |

- (c) ☐ No additional fee for claims is required.

OR

- (d) ☒ Total additional fee for claims required \$ 4,275

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____
- ☒ Charge Account No. 07-1250 the sum of \$ 4,275
- A duplicate of this request is attached.


FEE DEFICIENCY

6. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 27,043

Tel. No.: (650) 522-5535


SIGNATURE OF ATTORNEY
Max Hensley
Type or print name of attorney
Gilead Sciences, Inc.
333 Lakeside Drive
P.O. Address
Foster City, CA 94404

12/12/2006 LLANDGRA 00000053 071250 10540794

01 FC:1615 3450.00 DA
02 FC:1614 800.00 DA

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SCIENCES

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Intellectual Property Department

Fax (650) 522-5575

Date: December 8, 2006 **Fax #:** (571) 273-8300

Deliver to: EXAMINER ALTON N. PRYOR **Company:** Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Subject: In re application of Dahl et al.
Serial No. 10/540,794
Filed: March 20, 2006
Attorney Docket No. 270.PFUS

From: Max D. Hensley, Reg. No. 27,043

Number of Pages (including cover page): 34

Certification of Facsimile Transmission

I hereby certify that this paper along with the following documents are being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- Transmittal Letter
- Amendment Transmittal
- Amendment
- Claim Set for Application No. 11/452,472 (676.P2C)
- Claim Set for Application No. 11/453,122 (677.P2C)
- Information Disclosure Statement
- Form PTO 1449
- Copy of Express Abandonment Under 37 CFR 1.138 (Application No. 10/757,141)
- Copy of Press Release dated December 4, 2002

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.16 and 1.17 which may be required by this paper, or to credit any overpayment to Deposit Account No. 07-1250.

VICKI COLLINS
Type or print name of person signing certification

Vicki Collins
Signature

December 8, 2006

Date

If there are any problems with transmission, or if any pages are missing,
please contact the sender at (650) 522-5535.

333 Lakeside Drive, Foster City, California 94404, USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of)
Dahl et al.) Docket No. 270.PFUS
Serial Number: 10/540,794) Customer No.: 25000
Filed: March 20, 2006)
Title: COMPOSITIONS AND METHODS FOR)
COMBINATION ANTIVIRAL THERAPY)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER

The following documents are transmitted herewith for the above patent application:

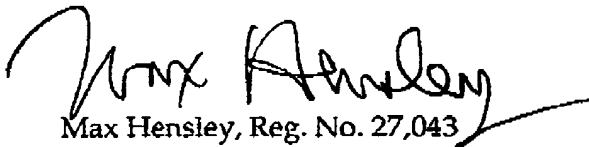
- X Amendment Transmittal (3pgs).
- X Amendment (14 pgs).
- X Claim set for application no.: 11/452,472 (3 pgs).
- X Claim set for application no.: 11/453,122 (4 pgs).

Application No.: 10/750,791
Filed: March 21, 2006

Docket #: 270,420

- ☒ Information Disclosure Statement (2pgs).
- ☒ Form PTO 1449 (1pg).
- ☒ Copy of Reference cited in Form 1449 (3 pg).
- ☒ Copy of Express Abandonment Under 37 CFR 1.138 for Application No.: 10/757,141.

Respectfully submitted,



Max Hensley, Reg. No. 27,043

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333 Lakeside Drive

Foster City, CA 94404.

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Facsimile: (650) 522-5575

Date: December 8, 2006

COPY

PTO/SB/24 (09-08)

Approved for use through 03/31/2007 OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**EXPRESS ABANDONMENT UNDER
37 CFR 1.138**Fax directly to the Pre-Grant Publication Division at (703) 305-8568; or
mail to: Mail Stop Express Abandonment
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

| | |
|------------------------|------------------|
| Application Number | 10/757,141 |
| Filing Date | January 13, 2004 |
| First Named Inventor | Terrance O. Dahl |
| Art Unit | 1617 |
| Examiner Name | C. MITCHELL |
| Attorney Docket Number | 210.PC |

Please check only one of boxes 1 or 2 below:

(If no box is checked, this paper will be treated as a request for express abandonment as if box 1 is checked.)

1. ☒ **Express Abandonment**
I request that the above-identified application be expressly abandoned as of the filing date of this paper.
2. ☐ **Express Abandonment in Favor of a Continuing Application**
I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

TO AVOID PUBLICATION, USE FORM PTO/SB/24A INSTEAD OF THIS FORM.**TO REQUEST A REFUND OF SEARCH FEE AND EXCESS CLAIMS FEE (IF ELIGIBLE), USE FORM PTO/SB/24B INSTEAD OF THIS FORM.**

- I am the: ☐ applicant.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record. Attorney or agent registration number is 35,071
- ☐ attorney or agent acting under 37 CFR 1.34, who is authorized under 37 CFR 1.138(b) because the application is expressly abandoned in favor of a continuing application (box 2 above must be checked). Attorney or agent registration number is _____



Signature

12/08/06

Date

Mark Bosse

Typed or printed name

(650) 522-5569

Telephone Number

Note. Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9799 and select option 2

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